

**KIRKLEES METROPOLITAN COUNCIL
INVESTMENT & REGENERATION SERVICE**

DEVELOPMENT MANAGEMENT

Town and Country Planning Act 1990 (as amended) – SECTION 70

DELEGATED DECISION TO DETERMINE PLANNING APPLICATIONS

Reference No:	2024/62/92799/W
Site Address:	DFS, Unit 1, Phoenix Retail Park, Leeds Road, Huddersfield, HD1 6NE
Description:	Change of use of part of unit from retail (E(a)) to self storage (B8)
Recommending Officer:	Katie Chew

DECISION – CONDITIONAL FULL PERMISSION

I hereby authorise the approval of this application for the reasons set out in the officer's report and recommendation annexed below in respect of the above matter.

John Holmes

AUTHORISED OFFICER

Date: 12th December 2024

Officer Report

Site Description

Unit 1, Phoenix Retail Park, Leeds Road, Huddersfield, HD1 6NE

The site comprises of a retail unit which is located within the Phoenix Retail park on Leeds Road in Huddersfield. The building is currently operating as 'DFS' but seeks to operate as 'Storage King'. The retail unit is located to the east of the site with shared car parking located to the west. the building is constructed in stone and is designed with a gabled roof form.

The site is located in a mainly commercial area with the existing buildings ranging from a number of different styles and designs to the application site. The nearest residential properties are located approximately 127m away to the north-east of the site.

The application site is not located within a Conservation Area but is in close proximity to a Grade II Listed Building to the south at Northeastern Gas Board Distribution/Conversion Offices.

Description of Proposal

The applicant is seeking planning permission for the change of use of part of unit from retail (E(a)) to self storage (B8).

The building is currently operating as Class E(a) retail. The proposal seeks to change the majority of this unit into self-storage (B8), this will include levels 1, 2 and 3 and part of the ground floor. Resulting in just 750sqm remaining as retail space, and 4006sqm as self-storage. The servicing solution for the reduced retail area is proposed to be from the front of the site, with the existing self-storage servicing provision maintained for the proposed extended area.

A surface level car park is located to the front of the unit and has capacity for 124 cars, there is also a surface level servicing yard to the rear which has capacity for 6 cars and space for delivery vehicles to manoeuvre. The car parking is served by two access roads, Grove Road which abuts the site to the south and Learoyd Street which abuts the site to the north. Grove Road also provides access to the servicing yard at the rear (east) of the site. The parking and servicing area is shared with the adjacent Storage King unit. No changes proposed to the existing car parking and access arrangements.

In terms of external alterations, on the eastern (rear) elevation a new entrance roller shutter door is proposed. On the northern elevation (facing Learoyd Street) a new stair 2 fire escape door is proposed, alongside a new lift shaft which is to protrude out of the existing roof slope. Furthermore, on the south elevation (facing Grove Road) a stair 1 fire escape door is proposed.

The submitted application forms also indicate that no changes are proposed to the current operating hours or number of employees.

History of negotiations/amendments received

Amended plans were submitted outlining the materials to be used within the proposed external lift shaft. Further clarification was also provided in relation to servicing/deliveries and customer access. A Parking Demand Note was also submitted following the consideration being advised to the applicant that both the extant planning permission 2023/91889 for the erection of a new building within the existing car park for an extension to the existing self-storage facility (Class B8) and the proposal being able to be undertaken upon the site.

Relevant Planning History

2023/91889 – Erection of new building for extension to existing self-storage facility (Class B8). Approved 25th August 2023.

2020/91260 – Change of use from A1 (retail) to B8 (storage and distribution). Approved 18th September 2020.

2017/91897 – Certificate of Lawfulness for proposed use of retail units approved under application no 98/70/92982/W2 without the restrictions contained in condition 10, resulting in an open retail consent. Withdrawn 26th September 2017.

98/92982 – Variation of condition 10 relating to retail use of premises on previous permission 97/62/91237 for erection of non-food retail units (30,000 sq ft.) with associated car parking, servicing and landscaping. Approved 18th December 1998.

Pre-Planning

2022/21179 – Pre application for erection of self-storage building. Comments made 31st October 2022.

2019/20430 – Pre application for use of premises for B8 storage and distribution. Comments made 25th November 2019.

Representations

Final publicity date expires:

Neighbour Letters – Expired 8th November 2024.

No representations have been received to date.

Officer note: We are currently undertaking the legal statutory publicity requirements, as set out at Table 1 in the Kirklees Development Management

Charter. As such, we have publicised this application via neighbour notification letters, details of which are outlined above. Whilst it is acknowledged that the application site is in close proximity to a Grade II Listed Building to the south, given the large separation distances and the nature of the application which is for a simple change of use to an existing building, Officers do not consider the proposals to impact on the setting or significance of this heritage asset and therefore it was not considered reasonable or necessary to advertise by site notice or press notice on this occasion. Furthermore, amended plans were received throughout the application process however, the alterations simply referred to an inclusion of the proposed materials to be used within the external lift shaft. No changes were made to the overall scheme and therefore re-consultation was not deemed to be reasonable or necessary on this occasion.

Consultation Responses

KC LLFA – Comments received 21st November 2024. No objections.

KC Highways Development Management (informal) – Comments received 27th November 2024. The proposals will retain the existing access and parking area which is deemed to be suitable. However, concerns were raised in regard to how the DFS store will be serviced should the application be approved, and clarification is sought in respect of the proposed new entrance to the storage unit to the rear for customers, this raises concerns in regard to safety given the servicing yard to the rear.

Officer note: Following receipt of the above comments, the applicant's agent sought to clarify the above via email on the 27th November 2024. Noting that the submitted Planning Statement and Transport Statement set out the below in explaining delivery and servicing proposals for the Self Storage and DFS units:

The delivery and servicing for the proposal would change from the existing arrangement, which sees the existing self storage facility (unit 1) and non-food retail (unit 2) serviced from the shared service yard at their rear to an arrangement where the service yard will only be for the self storage facility and the retained retail unit would instead be serviced either via the car park and the space at the front of the unit (for vehicles up to a 7.5 tonne box van in size) or via the existing loading bay on Learoyd Street (for larger vehicles). Vehicle tracking showing a suitable means of access and egress of a 7.5t box van to / from DFS for servicing is shown within Appendix 4 of the Transport Statement. The car parking to the site's frontage will remain shared by both uses as altered.

Whilst the servicing access for Storage King will be to the rear, the pedestrian/customer access will still be at the front as existing. The proposal is to expand the existing unit, rather than create a separate unit, so the proposal includes the creation of a passage between the existing part of the store and the proposed part of the store. This will enable customers of the new store area to still enter via the existing front entrance.

In addition to the above, Officers requested that further details be submitted to the LPA to demonstrate that sufficient parking could be provided at the site, should both the extant planning permission (2023/91889) and this current application (2024/92799) both be built out. The applicant sought to submit a Parking Demand Note which confirmed that there is a peak parking demand of 33 vehicles, and that the 65 parking spaces associated with the implementation of the extant development will comfortably accommodate the predicted parking demand at the site with 32 spare spaces.

Officer note: Taking the above into consideration, Highway Officers deem the access, parking, and servicing arrangements to be acceptable. It is considered that additional traffic generated by the proposals will have no material impact on the safety or operation of the local highway network. HDM have no objection to the proposals, however if the proposals are to be approved, a condition requiring the submission of a Construction Management Plan should be attached to the Decision Notice.

KC Environmental Health – Comments received 15th October 2024. No objections.

HSE – Comments received 4th November 2024. HSE does not advise, on safety grounds, against the granting of planning permission in this case.

Parish/Town Council

N/A.

Local Ward Members

None.

Planning Policy Background

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that planning applications are determined in accordance with the Development Plan unless material considerations indicate otherwise. The statutory Development Plan for Kirklees is the Local Plan (adopted 27th February 2019).

The application site is located within a Priority Employment Area (PEA), Strategic Green Infrastructure Network, Flood Zones 2 and 3a, Bat Alert Area, and is partially within a High and Low Coal Mining Area.

Officer note: Whilst it is noted that the site is partially located within a High Coal Mining Area, given the nature of the proposals which is for a change of use of an existing building, with minor internal and external alterations, the proposal would be exempt from having to provide a Coal Mining Risk Assessment under Part B of the exemptions list.

Kirklees Local Plan (LP):

- **LP1** – Presumption in favour of sustainable development
- **LP2** – Place shaping
- **LP3** – Location of new development
- **LP7** – Efficient and effective use of land and buildings
- **LP8** – Safeguarding employment land and premises
- **LP21** – Highway safety and access
- **LP22** – Parking
- **LP24** – Design
- **LP27** – Flood risk
- **LP30** – Biodiversity and Geodiversity
- **LP31** – Strategic Green Infrastructure Network
- **LP51** – Protection and Improvement of Local Air Quality
- **LP52** – Protection and Improvement of Environment Quality
- **LP53** – Contaminated and Unstable Land

Other Guidance Documents:

- Kirklees Highways Design Guide (2019)
- Kirklees Biodiversity Strategy and Biodiversity Action Plan (2007)
- West Yorkshire Low Emissions Strategy and Air Quality and Emissions Technical Planning Guidance (2016)
- Planning Applications Climate Change Guidance (2021)
- Biodiversity Net Gain in Kirklees Technical Advice Note (2021)

National Policies and Guidance:

National planning policy and guidance is set out in National Policy Statements, primarily the National Planning Policy Framework (NPPF) updated 20th December 2023, the Planning Practice Guidance Suite (PPGS) first launched 6th March 2014 together with Circulars, Ministerial Statements and associated technical guidance.

The NPPF constitutes guidance for local planning authorities and is a material consideration in determining applications. Most specifically in this instance, the below chapters are of most relevance:

- **Chapter 2** – Achieving sustainable development
- **Chapter 4** – Decision-making
- **Chapter 6** – Building a strong competitive economy
- **Chapter 7** – Ensuring the vitality of Town Centres
- **Chapter 11** – Making effective use of land
- **Chapter 12** – Achieving well-designed places
- **Chapter 14** – Meeting the challenge of climate change, flooding and coastal change

- **Chapter 15 – Conserving and enhancing the natural environment**

Summary of Principal Planning Issues

The following matters are considered in the assessment below -

- 1) Principle of development
- 2) Impact on visual amenity and heritage assets
- 3) Impact of the proposed development upon the privacy and amenity of neighbouring properties
- 4) Impact on highway safety
- 5) Other matters
- 6) Conclusion

1 – Principle of Development:

1.1 – Sustainable Development

NPPF Paragraph 11 and Policy LP1 outline a presumption in favour of sustainable development. Paragraph 8 of the NPPF identifies the dimensions of sustainable development as economic, social and environmental (which includes design considerations). It states that these facets are mutually dependent and should not be undertaken in isolation.

The dimensions of sustainable development will be considered throughout the proposal.

Paragraph 11 concludes that the presumption in favour of sustainable development does not apply where specific policies in the NPPF indicate development should be restricted. This too will be explored.

1.2 – Land Allocation (Priority Employment Area)

The application site forms part of a larger Priority Employment Area (PEA). The PEA (ref: HUD16) which has a gross area of 30.31ha. This application site has an area of around 0.73ha.

Chapter 6 of the NPPF relates to building a strong competitive economy. Paragraph 85 of the NPPF sets out that planning decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development.

Policy LP8 of the Kirklees Local Plan relates to safeguarding employment land and premises and states: *“Proposals for development or re-development for employment generating uses (as defined in the Glossary) in Priority Employment Areas will be supported where there is no conflict with the established employment uses (as defined in the Glossary) in the area.”*

Policy LP7 of the Kirklees Local Plan outlines the following criteria when seeking to establish the 'effective and effective use of land and buildings':

*'To ensure the best use of land and buildings, proposals: a. Should encourage the efficient use of previously developed land in sustainable locations provided that it is not of high environmental value;
b. Should encourage the reuse and adaptation of vacant and underused properties;
c. Should give priority to despoiled, degraded, derelict and contaminated land provided that it is not of high environmental value;
d. Will allow for access to adjoining undeveloped land so it may subsequently be developed'*

The above is echoed within Chapter 11 of the NPPF.

The proposals seek planning permission for the change of use of part of unit from retail (E(a)) to self storage (B8). This is an employment generating use (as defined in the Local Plan glossary), which would be provided within an existing building that currently operates as a retail unit. The application site also adjoins an existing storage facility operating as 'Storage King' which is also a B8 Use, for which the proposal would provide an extension. The proposal would therefore not result in the loss of an employment use but would in fact replace one employment generating use with another. This aspect of Policy LP8 is therefore complied with.

The proposed provision of new employment floorspace designed to meet present-day employment needs is welcomed, as is the potential job creation associated with the proposed development.

Officers are satisfied that, given the separation distances and general suitability of adjacent commercial uses, the proposals would not cause conflict with the established employment uses. This will be considered in further detail in the assessment, where relevant.

The site is also to be located within an existing unit on a portion of existing hardstanding and is classed as brownfield land/previously developed land; this type of development is actively encouraged within the Local Plan under planning policy LP7 and Chapter 11 of the NPPF.

In conclusion, the proposal would provide an employment generating use within an allocated Priority Employment Area, whilst also representing an efficient and effective use of an existing building. Therefore, the principle of development is considered to be acceptable.

In terms of the proposed employment the proposals will bring, within the submitted application forms it appears that no additional employees would be working at the site should planning permission be granted. Nevertheless, the provision of this new storage unit may help to support future employment opportunities within the area and this therefore weighs in favour of the

proposed development and accords with Local Plan Policies LP3 and LP7 by utilising brownfield land for employment generating uses.

In addition to the above, it is important to note that Chapter 7 of the NPPF seeks to ensure the vitality of town centres. Within historic permission ref: 98/92982 the unit was conditioned to not be used for the sale of food for consumption off the premises (other than confectionary); clothing and shoes (other than sports clothing and footwear); toys, fashion accessories including handbags and luggage; watches and jewellery; perfume and toiletries; books; music records; video tapes, audio tapes and computer software; without the prior written consent of the Local Planning Authority. This condition would be reimposed on this permission to restrict the use of the unit for specific retail purposes in the interests of protecting the vitality of town centres, specifically in this case Huddersfield town centre.

Consideration must now be given to the developments impact upon the local area, this is assessed below.

2 – Impact on Visual Amenity:

The NPPF offers guidance relating to design in Chapter 12 (achieving well designed places) whereby paragraph 131 provides a principal consideration concerning design which states:

“The creation of high-quality beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities”.

Paragraph 135 of the NPPF is of relevance, in particular the following parts: -

‘b) Planning policies and decisions should ensure that developments are visually attractive as a result of good architecture, layout and appropriate and effective landscaping.

c) Planning policies and decisions should ensure that developments are sympathetic to local character and history, including the surrounding built environment and landscape setting, whilst not preventing or discouraging appropriate innovation or change’.

Kirklees Local Plan Policies LP1, LP2 and significantly LP24 all also seek to achieve good quality, visually attractive, sustainable design to correspond with the scale of the development in the local area, thus retaining a sense of local identity.

Policy LP24 states that all proposals should promote good design by ensuring the following:

“a. the form, scale, layout and details of all development respects and enhances the character of the townscape, heritage assets and landscape...

c. extensions are subservient to the original building, are in keeping with the existing buildings in terms of scale, materials and details...”.

The application seeks planning permission for the change of use of part of an existing unit from retail (E(a)) to self-storage (B8). Minimal external alterations are proposed and include:

- On the eastern (rear) elevation a new entrance roller shutter door is proposed.
- On the northern elevation (facing Learoyd Street) a new stair 2 fire escape door is proposed, alongside a new lift shaft which is to protrude out of the existing roof slope.
- On the south elevation (facing Grove Road) a stair 1 fire escape door is proposed.

In terms of the proposed external fire escape doors and roller shutter, these elements of the scheme are considered to have negligible impact and be reflective of existing doors and shutters which already exist within the host building and adjacent properties, and therefore are deemed to be acceptable.

In respect of the proposed new lift shaft which is to protrude out of the existing roof slope by around 2.2m, this is to be finished in materials to match the existing roof profile or KS1000RW panels in the colour Goosewing Grey BS 10-A-05. Officers therefore consider that this protruding structure would not be overly dominant, and when viewed amongst the existing commercial buildings within the immediate vicinity would not appear visually jarring within this context.

In summary the proposals are considered to prevent detrimental harm to the visual amenities of the area in accordance with Local Plan Policies LP1, LP2 and LP24 of the Kirklees Local Plan and Chapter 12 of the National Planning Policy Framework.

3 – Impact on Residential Amenity:

Sections B & C of the Kirklees Local Plan Policy LP24 which states that alterations to existing buildings should:

“Maintain appropriate distances between buildings’ and ‘...minimise impact on residential amenity of future and neighbouring occupiers’.

Further to this, paragraph 135 of the National Planning Policy Framework states that planning decisions should ensure that developments have a high standard of amenity for existing and future occupiers.

Policy LP52 is considered to be of relevance and sets out that development must be considered in relation to potential for increases from pollution, in this case the relevant possible increases could relate to noise, light & odour emissions.

The Council's Environmental Health Team have confirmed they have no objection to the proposed development.

It is considered that there are no residential dwellings within a close enough vicinity to be significantly impacted upon by the development proposals. The nearest residential dwellings are located approximately 100 + metres away to the north and south-west of the site. It is therefore concluded that, having regard to the nature of the proposal and response of the Environmental Health Team, the proposals are in line with Local Plan Policy LP24 and Chapter 12 of the National Planning Policy Framework.

4 - Impact on Highway Safety:

Turning to highway safety, Local Plan Policies LP21 and LP22 are relevant and seek to ensure that proposals do not have a detrimental impact on highway safety and provide sufficient parking. Paragraph 115 of the NPPF states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

The application seeks permission for the change of use of part of the existing DFS premises from retail (Class E(a)) to self-storage (Class B8).

Given the nature of the proposals the Council's Highways Officers have been consulted. they note that the quantum of development is to be:

The proposed change of use will result in the following floor areas in the DFS premises (Unit 1)

Retained non-food retail – 750sqm
Entrance lobby - 41sqm
Ground floor self-storage – 1,106sqm
Level 1 self-storage – 1,106sqm
Level 2 self-storage – 1,106sqm
Level 3 self-storage – 668sqm

Total retained non-food retail = 750sqm

Total self-storage = 3,986sqm

Within the response of the Highways Team, they set out that it is noted that planning permission was granted under application number 2023/91889 for the erection of a new building to extend the existing Storage King self-storage facility at the Phoenix Retail Park site. The proposed new building was located to the west of the site on the existing car park fronting Leeds Road. This

permission is extant, and the Applicant has stated it is their intention that either the existing permission given under 2023/91889, or the current proposal will be implemented and not both. Nonetheless, the applicant has submitted a Parking Demand Note ref: 794-PLN-LSE-00277 which outlines that the permitted standalone building (2023/91889) will provide a storage area of up to 2,888sqm with a reduction in car parking spaces from 102 to 65. Combined with the existing self-storage at Unit 2 (3,444sqm) and the proposed self-storage at Unit 1 (3,986sqm) this would result in a total area of 10,318sqm self-storage at the site plus the retained 750sqm of non-food retail. Based on the previously accepted methodology a parking accumulation assessment based on 10,318sqm of self-storage plus 750sqm of non-food retail indicates a maximum parking demand of 33 spaces. This demonstrates that should both permissions be implemented there would be sufficient parking spaces, and that parking demand could comfortably be accommodated on site.

The site is accessed from Leeds Road (A62) via either Grove Road to the south or Learoyd Street to the north, both routes form a priority junction with Leeds Road and include right turn lanes. In addition to providing access to the site's car park Grove Road also provides access to a service yard to the rear of the building. Access arrangements are unchanged and are considered suitable to serve the proposed self-storage facility.

The existing self-storage and retail uses are serviced from a shared service yard at the rear of the building, accessed from Grove Road. It is proposed that the self-storage facility will continue to be serviced from the service yard. The retained retail element, remainder of unit 1, which is reduced from 1,849sqm to 750sqm, and no longer has direct access from the service yard is proposed to be serviced via the car park from the area to the front of the store, or for larger vehicles the existing loading bay on Learoyd Street.

It has been demonstrated using swept path analysis that the car park access and circulating routes can accommodate an 8m long 7.5 tonne box van, which is the vehicle size most commonly used, for the delivery and dispatch of furniture. On occasions when deliveries by larger vehicles need to be accommodated, these will take place from the existing loading bay on Learoyd Street, which can accommodate articulated vehicles up to maximum legal limit. The proposed servicing arrangements are considered acceptable.

A traffic impact assessment has been undertaken to determine trip generation and highway impact of the development proposals. The assessment indicates that the proposed extended self-storage facility is predicted to result in no additional trips in the morning peak, with a net increase of 2 total trips in the evening peak hour, and an additional 16 daily total movements throughout the day. It is considered that this additional traffic will be imperceptible and will have no material impact on the safety or operation of the local highway network.

In conclusion, Highways Officers deem the access, parking, and servicing arrangements to be acceptable. It is considered that additional traffic

generated by the proposals will have no material impact on the safety or operation of the local highway network. HDM therefore have no objection to the proposals, subject to the imposition of a condition requiring the submission of a Construction Management Plan.

For the aforementioned reasons, it is concluded that, subject to conditions, the scheme would not represent any additional harm in terms of highway safety and as such complies with Local Plan Policies LP21 and LP22, and Chapter 9 of the National Planning Policy Framework.

5 - Other Matters:

Health and Safety

The application site is within the Hazardous Materials Inner and Middle Zone, as defined by HSE. Consultation with HSE has confirmed that they do not advise against the granting of planning permission in this instance.

The development would, in these circumstances, be acceptable in this regard in accordance with policies contained within Chapter 15 of the NPPF.

Flooding

Local Plan Policies LP24 and LP27 are relevant to flood risk, as is Chapter 14 of the NPPF.

Paragraph 165 of the NPPF states that: *“Inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk (whether existing or future). Where development is necessary in such areas, the development should be made safe for its lifetime without increasing flood risk elsewhere.”*

The majority of the site is located within Flood Zones 2 and 3a.

The applicant has submitted a Flood Risk Assessment which outlines that the floor levels of the proposed development will be set no lower than existing levels and, flood resilient and/or flood resistant measures have been incorporated in the proposed development where appropriate. This assessment also notes that the flood risk originates from surface water, for which the 1 in 100 year flood depths are below 300mm, and the proposals are for a change of use only.

Given the nature of the proposals and its location, the Council's LLFA team were consulted. They state that as the proposal is to change an existing building internally, the LLFA has no comments provided that the recommendations set out in the submitted Flood Risk Assessment are carried out.

The proposals are therefore considered to accord with the aims of LP24 and LP27 of the Kirklees Local Plan and Chapter 14 of the NPPF.

Biodiversity

Chapter 15 of the National Planning Policy Framework is relevant, together with the Conservation of Habitats and Species Regulations 2017 which protect, by law, the habitat and animals of certain species including newts, bats and badgers.

Policy LP30 of the Kirklees Local Plan requires that proposals protect Habitats and Species of Principal Importance.

Whilst it is acknowledged that the application site is located within a Bat Alert Area and that some alterations are proposed to the roof of the existing unit, given the design, materials and nature and context of the existing unit it is considered unlikely that the proposals would have an impact on the bat population. However, an informative will be included should planning permission be granted, which makes the applicant aware that if bats are discovered during construction works that works shall cease and the applicant is advised to contact Natural England for advice on how to move forward.

A Biodiversity Net Gain (BNG) of 10% for developments is a mandatory requirement in England under the Environment Act 2021, subject to some limited exceptions. Unless exempt, every planning permission granted pursuant to an application submitted after 2nd April 2024 (for minor and other applications) is deemed to have been granted subject to a pre-commencement condition requiring a Biodiversity Gain Plan to be submitted and approved by the local planning authority prior to commencement of the development.

Within the submitted application forms the applicant has stated that the proposals would be exempt from Biodiversity Net Gain (BNG) conditions, noting that the development would be subject to the de minimis exemption (falling below the threshold) as the development does not impact a priority habitat and impacts less than 25sqm (5m by 5m) of on-site habitat and less than 5sqm of on-site linear habitats such as hedgerows.

Given the nature of the proposals which are for a simple change of use, Officers would agree with the above conclusions and therefore the proposals are considered to be exempt on this occasion and therefore the proposals do not need to provide details in respect of a biodiversity metric.

Climate Change

On 12th November 2019, the Council adopted a target for achieving 'net zero' carbon emissions by 2038, with an accompanying carbon budget set by the Tyndall Centre for Climate Change Research. National Planning Policy includes a requirement to promote carbon reduction and enhance resilience to climate change through the planning system and these principles have been incorporated into the formulation of Local Plan policies. The Local Plan pre-dates the declaration of a climate emergency and the net zero carbon target,

however it includes a series of policies which are used to assess the suitability of planning applications in the context of climate change. When determining planning applications, the Council will use the relevant Local Plan policies and guidance documents to embed the climate change agenda.

The application is supported by a Climate Change Statement, this statement outlines that all light fittings are to be of a high efficiency LED, PIR sensor lights will be fitted throughout and therefore only occupied areas will be lit. As the proposals are seeking to refurbish an existing building, no carbon will be consumed through the normal construction process. Any carbon is already imbedded in the building. Furthermore, self-storage buildings are already low energy consumers due to the nature of the business, notwithstanding that the applicant will still meet Part L of the building regulations.

Taking the above into consideration, it is not considered necessary to request and additional information in respect of meeting the Council's sustainability objectives on this occasion.

There are no other matters for consideration.

6 - Conclusion:

The NPPF has introduced a presumption in favour of sustainable development. The policies set out in the NPPF taken as a whole constitute the Government's view of what sustainable development means in practice.

This application has been assessed against relevant policies in the development plan and other material considerations. It is considered that the proposed development would on balance, constitute sustainable development and is therefore recommended for approval.

Recommendation:

Approved.

Decision Authorisation - Delegated Powers

Application Number: 2024/92799

Officer Recommendation: Approved.

Conditions and Reasons:

1. The development hereby permitted shall be begun within three years of the date of this permission.

Reason: To ensure compliance with Section 91 of the Town and Country Planning Act 1990.

2. The development hereby permitted shall be carried out in complete accordance with the plans and specifications schedule listed in this decision notice, except as may be specified in the conditions attached to this permission, which shall in all cases take precedence.

Reason: For the avoidance of doubt as to what is being permitted and so as to ensure the satisfactory appearance of the development on completion, and to accord with Policies LP1, LP2, LP3, LP7, LP8, LP21, LP22, LP24, LP27, LP30, LP31, LP51, LP52 and LP53 of the Kirklees Local Plan and Chapters 2, 4, 6, 7, 11, 12, 14 and 15 of the National Planning Policy Framework

3. Prior to development commencing, a Construction Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The plan shall address: public safety and site security; site operating hours; construction methodology and programme; controls to be put in place to limit noise and vibration; proper management of dust; site waste management; traffic management, including access routes to and from the site; and site specific details which require detailed assessment including interface with adjacent owners. Thereafter all construction arrangements shall be carried out in accordance with the approved schedule throughout the period of construction.

Reason: This is a pre-commencement condition to ensure that an appropriate scheme is agreed before construction works commence in the interests of residential amenity and highway safety and to ensure that development accords with Policies LP21 and LP24 of the Kirklees Local Plan and policies within chapters 9 and 12 of the National Planning Policy Framework.

4. The premises shall not be used for the sale of food for consumption off the premises (other than confectionery); clothing and shoes (other than sports clothing and footwear); toys, fashion accessories including handbags and luggage; watches and jewellery; perfume and toiletries; books; music records, video tapes, audio tapes and computer software; without the prior consent of the Local Planning Authority. Not less than 50% of the sales floorspace of any unit devoted to the sale of sports goods and clothing shall be used for the sale, display and testing of sports equipment.

Reason: To accord with the guidance contained in chapter 7 of the National Planning Policy Framework ('Ensuring the vitality of town centres').

NOTE: Due to its location, a bat roost may be present on site. Bats are a European protected species under regulation 42 of the Conservation of Habitats and Species Regulations 2017. It is an offence for anyone to intentionally kill, injure or handle a bat, disturb a roosting bat, or sell or offer a bat for sale without a licence. It is also an offence to damage, destroy or obstruct access to any place used by bats for shelter, whether they are present or not.

Plans and specifications schedule: -

Plan Type	Reference	Web ID	Date Received
Location Plan	DR.01.01	G	2 nd October 2024
Site Plan	DR.01.02	G	2 nd October 2024
Unit 1 – Existing Ground Floor	DR.02.01	G	2 nd October 2024
Unit 1 – Ground Floor Proposed	DR.02.02	G	2 nd October 2024
Unit 1 – Existing Section	DR.02.03	G	2 nd October 2024
Unit 1 – Proposed Section	DR.02.04	G	2 nd October 2024
Unit 1 – Existing Elevations	DR.02.05	G	2 nd October 2024
Unit 1 – Existing Elevations	DR.02.06	G	2 nd October 2024
Unit 1 – Proposed Elevations	DR.02.07	H	8 th November 2024
Unit 1 – Proposed Elevations	DR.02.08	H	8 th November 2024
Gross Internal Area	DR.03.01	G	2 nd October 2024
Transport Statement Supporting Information	794-PLN-LSE-00277	01	2 nd October 2024
Flood Risk Assessment Tick Sheet Supporting Information	-	-	2 nd October 2024
Climate Change Statement Supporting Information	-	-	30 th September 2024
Planning Statement Supporting Information	794-PLN-LSE-00277	V1	30 th September 2024
Parking Demand Note	794-PLN-LSE-00277	-	4 th December 2024

Supporting Information			
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Pursuant to article 35 (2) of the Town and Country Planning (Development Management Procedure) Order 2015 and guidance in the National Planning Policy Framework, the Local Authority have, where possible, made a preapplication advice service available, complied with the Kirklees Development Management Charter 2015 and otherwise actively engaged with the applicant in dealing with the application. Amended plans were submitted outlining the materials to be used within the proposed external lift shaft. Further clarification was also provided in relation to servicing/deliveries and customer access. A Parking Demand Note was also submitted following concerns raised in respect of the extant planning permission 2023/91889 for the erection of a new building within the existing car park for an extension to the existing self-storage facility (Class B8). Approved 25th August 2023.

Report Dated:

12th December 2024.